SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO:19514 of 2007

Dated: 23-10-2007

Between:

Makarla Durga Malleshwari Sirisha
And others.

..... Peti

AND

The Government of Andhra Pradesh,
Rep by Principal Secretary (Revenue),
Hyderabad
And others

..... Respc

Counsel for the petitioners : Sri C.Raghu

Counsel for the respondent : A.G.P. for Land Acquisition.

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.19514 of 2007

O R D E R:

This writ petition is filed for a writ of mandamus to declare the action of the respondents in not considering the objections of the petitioners filed in pursuance of the notice dated 20.6.2007 issued under Section 5A of the Land Acquisition Act 1894 (for short "the Act").

At the hearing, Sri C.Raghu, learned counsel for the petitioners fairly submitted that the petitioners would be satisfied if a direction is given to respondents 2 and 3 to consider and dispose of the objections already filed by them.

Learned Assistant Government Pleader for Land Acquisition however submitted that the date of enquiry was fixed as 10.7.2007, but the petitioners have not filed their objections. He however, stated that declaration under Section 6 of the Act has not been made.

Learned counsel for the petitioners controverted this submission by showing courier receipt evidencing sending of the objections on 16.7.2007.

Under these circumstances, the writ petition is disposed of with the following directions:

1. If the petitioners had already sent their objections, they shall be considered and disposed of by respondent No.2 after notice to the petitioners.
2. If the objections allegedly sent by the petitioners are not received by respondent No.2, he shall give a notice to the petitioners to send their objections within a stipulated time and on receipt of such objections, respondent No.2 shall hold an enquiry and dispose of the objections.

Subject to the above directions, the writ petition is disposed of.

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C.V.NAGARJUNA REDDY,J

Date:23.10.2007

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